

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED
MAR 19 2015
U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.
)
MICHAEL THOMAS JONES,)
)
Defendant.)

No.

4:15CR00121 JAR/TCM

INDICTMENT

The Grand Jury charges that:

INTRODUCTION

1. At all times relevant to this indictment, defendant Michael Thomas Jones was a resident of St. Louis County, Missouri. Since in or about 1998, the defendant has been a licensed registered pharmacist in Missouri and in Oklahoma. In 1998, he graduated from the University of Oklahoma College Of Pharmacy.

2. The defendant has never been licensed as a medical doctor (MD) or an osteopathic doctor (DO) in any state and never graduated from medical school. Neither has he ever been board certified as a psychiatrist or any other type of doctor.

3. The Missouri Division of Professional Registration, Missouri State Board of Registration for the Healing Arts (Board of Healing Arts), is responsible for the licensure and regulation of physicians and other specified health care professionals, the investigation of complaints, and the discipline of individuals practicing in the field. In Missouri, it is illegal to impersonate or falsely represent that one is a doctor.

4. The American Board of Psychiatry and Neurology, Inc. (ABPN) is a member of the American Board of Medical Specialties, an organization of 24 approved medical specialty boards. The ABPN certifies doctors after they have successfully completed an approved training

program and have been evaluated to determine their ability to provide quality care in their chosen medical specialty or subspecialty. Upon successful completion of the process, the doctor is called an ABPN diplomate and is given a unique certification number. The ABPN does not certify pharmacists.

5. At all times relevant to this indictment, Dr. Michael D. Jones was licensed by the Missouri Board of Healing Arts as a medical doctor and had an obstetrics and gynecology practice in Mexico, Missouri. Dr. Michael D. Jones' medical license number will be identified in this indictment as 361**. This license number appears on every prescription that Dr. Michael D. Jones writes or authorizes. At the time of the offenses alleged in this indictment, Dr. Michael D. Jones lived in Rush Hill, Missouri.

6. At all times relevant to this indictment, Dr. Michael Cory Jones was a retired osteopathic doctor, who was board certified by the ABPN. Dr. Michael Cory Jones' ABPN certificate number will be referred to in this indictment as 302**. At the time of the offenses alleged in this indictment, Dr. Michael Cory Jones lived in Columbia, Missouri.

7. At all times relevant to this indictment, Dr. Michael Paul Jones was a licensed medical doctor, with a family practice in Atchison, Kansas.

COUNT 1
MAIL FRAUD
Title 18, United States Code, Section 1341 and Section 2

8. Paragraphs 1-7 are re-alleged and incorporated by reference, as if fully set out herein.

9. From in or about January 2013 through in or about July 2014, in the Eastern District of Missouri, the defendant Michael Thomas Jones, knowingly devised and intended to devise a scheme and artifice to defraud and to obtain property by means of false and fraudulent pretenses, representations, and promises, to wit, the defendant knowingly made material false

and fraudulent representations to the American Board of Psychiatry and Neurology to obtain the ABPN certificate of Dr. Michael Cory Jones, and in connection therewith, caused the use of the mails.

False Statements to the ABPN

10. It was part of the scheme and artifice to defraud that on or about July 2, 2013, the defendant mailed a request to the ABPN for a duplicate copy of certificate number 302**, which had been assigned to Dr. Michael Cory Jones. In the signed request for the duplicate certificate, the defendant identified the certificate holder as “Michael C.T. Jones, D.O.”

11. It was further part of the scheme to defraud that the defendant submitted the following to the ABPN in support of his request for the ABPN certificate of Dr. Michael Cory Jones:

- a copy of Dr. Michael D. Jones’ medical license,
- a copy of the defendant’s Missouri driver’s license, and
- a \$150 check payable to ABPN and drawn on the defendant’s bank account at First Command Bank. The memo section of the check includes the handwritten words: “Duplicate Certificate #302**”, which certificate number belonged to Dr. Michael Cory Jones.

12. It was further part of the scheme to defraud that the defendant altered the medical license by changing the name on the license to “Dr. Michael T. Jones,” thereby falsely indicating that the defendant was a licensed physician and surgeon in Missouri.

13. In or about July 2013, the defendant and ABPN exchanged a series of e-mails concerning the defendant’s request for the duplicate certificate # 302**. On or about July 9, 2013, the ABPN informed the defendant that the certificate number that he provided was

incorrect and that the ABPN could not locate the defendant's name, Social Security, or birthdate in the ABPN system.

14. It was part of the scheme to defraud that in an e-mail dated July 9, 2013 to the ABPN, the defendant falsely stated: "My certificate # is most definitely 302** . . . I did save that # in my file . . . and I did complete my certification on 06/30/98 . . ." In the subject line of the e-mail, the defendant wrote "Dr. Michael Jones Cert. #302**."

15. It was part of the scheme and artifice to defraud that in an e-mail dated July 17, 2013 to the ABPN, the defendant falsely stated: "I held 2 board certifications during my medical career, one in Psychiatry and one in FP [Family Practice]. I am almost certain that 302** is the correct # . . . I did get Psychiatry certified first, because I remember I was teaching in the Med (medical) School when I certified, so maybe it was 1988 for Psychiatry and 1998 for the other . . ." The defendant also stated that he was "getting ready to retire."

16. As the defendant requested in the July 17, 2013 e-mail, the ABPN returned the request for the certificate 302** and attached documents. The ABPN mailed the documents to the defendant on or about July 17, 2013.

False Statements to Dr. Michael Cory Jones

17. It was part of the scheme to defraud that on or about July 28, 2013, the defendant left a message on the cell phone of Dr. Michael Cory Jones. In the message the defendant identified himself as Michael Paul Thomas Jones, M.D. The defendant also stated in the phone message that he was trying to obtain a duplicate copy of his ABPN certificate because he was returning to clinical practice. This statement was false because the defendant's middle name is not "Paul," he was not a doctor, and has never had a clinical practice as a doctor.

18. Dr. Michael Cory Jones returned the defendant's call on July 31, 2013. It was part of the scheme to defraud that the defendant again identified himself as Michael Paul Thomas

Jones, M.D. The defendant stated that he was trying to “fix” the mix-up over his ABPN certificate. The defendant asked Dr. Michael Cory Jones to disclose his Social Security number, but the doctor refused to disclose his Social Security number or any other personal information.

False Statements To Pharmacy Board

19. In or about August 2013, the Missouri Board of Pharmacy began an investigation after receiving a referral from the ABPN related to the defendant’s attempt to obtain a duplicate ABPN certificate. The Pharmacy Board is an autonomous board within the Missouri Division of Professional Registration and is responsible for licensing, monitoring, and investigating the activities of pharmacists and pharmacies.

20. On or about April 11, 2014, investigators from the Pharmacy Board interviewed the defendant. It was part of the scheme to defraud that the defendant denied that he had ever claimed to be a doctor, denied that he placed the initials “D.O.” after his name on the request for the ABPN certificate, and denied that he had ever seen or submitted a medical license bearing the license number of Dr. Michael D. Jones.

False Statements To Missouri Board of Healing Arts

21. In or about October 2013, the Missouri Board of Healing Arts began an investigation after receiving a complaint related to the defendant’s attempt to obtain a duplicate ABPN certificate.

22. On about October 30, 2013, investigators from the Missouri Board of Healing Arts interviewed the defendant. It was part of the scheme to defraud that the defendant denied that he ever represented that he was an osteopathic doctor and denied placing the initials “D.O.” after his name on the request for the duplicate ABPN certificate. He also falsely stated that he had never seen nor submitted an altered medical license bearing the license number of Dr.

Michael D. Jones. The defendant stated that he wanted the duplicate certificate because he was looking for a job.

False Statements On Linked-In Page

23. During 2013, the defendant had a page on Linked-In, which is a business-oriented social networking service. Registered members of Linked-In may post their profiles, including their education and employment history, and use the site to find jobs and connect with potential business partners.

24. On his Linked-In page, the defendant identified himself as “Michael Jones MS, PharmD, MD,” thereby falsely representing that he was a medical doctor. Further, the defendant falsely stated that he had been a “Staff Psychiatrist” with Psychiatry Consultants, Inc. since April 2013; had received a medical degree; and had completed the “Forensic Psychiatry Residency Program” at the University of Oklahoma College of Medicine.

25. On or about July 8, 2013, within the Eastern District of Missouri, for the purpose of executing, and attempting to execute, the above-described scheme and artifice to defraud,

MICHAEL THOMAS JONES,

the defendant herein, did knowingly cause to be delivered by mail, according to the direction thereon a “Request for Duplicate Certificate Form” and attached documents to the American Board of Psychiatry and Neurology.

All in violation of Title 18, United States Code, Sections 1341 and 2.

COUNT 2
AGGRAVATED IDENTITY THEFT
Title 18, United States Code, Section 1028 A(a)(1) and Section 2

26. Paragraphs 1-7 and 9-24 are re-alleged and incorporated by reference, as if fully set out herein.

27. On or about July 3, 2013, within the Eastern District of Missouri,

MICHAEL THOMAS JONES,

the defendant herein, did knowingly use, without lawful authority, a means of identification of another person during and in relation to a mail fraud scheme, a felony violation enumerated in 18 USC 1028A(c), to wit, the defendant used an altered copy of the Missouri medical license, bearing the actual medical license number, 361**, of Dr. Michael D. Jones, knowing that the means of identification belonged to another actual person.

All in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

COUNT 3
FALSE STATEMENTS TO FEDERAL AGENTS
Title 18, United States Code, Section 1001(a)(2)

28. Paragraphs 1-7 and 9-24 are re-alleged and incorporated by reference, as if fully set out herein.

29. The U.S. Department of Health and Human Services, Office of the Inspector General, Office of Investigations (HHS/OIG), is a federal agency which is responsible for investigating fraud and abuse in HHS programs, including the Medicare and Medicaid Programs.

30. During June 2014, HHS/OIG was investigating allegations that the defendant was falsely representing himself as a doctor. As a part of its investigation, on or about July 14, 2014, HHS/OIG federal agents interviewed the defendant to determine if he was falsely representing that he was a doctor and whether he was providing or billing for medical services that he purportedly provided to Medicare or Medicaid patients.

31. On or about July 14, 2014, HHS/OIG agents returned a call from the defendant. During the call, the defendant stated he believed that Dr. Michael Cory Jones had caused the investigation and perhaps the investigation would be dropped if he filed a defamation of character suit against him. The defendant stated that he did not send in a medical license to the

ABPN and did not know where it came from. The defendant stated he wanted the ABPN certificate to make his resume look better.

32. On or about July 14, 2014, within the Eastern District of Missouri,

MICHAEL THOMAS JONES,

the defendant herein, did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation concerning a matter within the jurisdiction of the executive branch of the Government of the United States, by falsely stating to HHS/OIG agents that he had never seen nor submitted a copy of the medical license of Dr. Michael D. Jones to the ABPN. When the defendant made this statement, he knew the statement was false.

All in violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL.

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

DOROTHY L. McMURTRY, #37727MO
Assistant United States Attorney